

BILL ANALYSIS

Senate Research Center

H.B. 2228
By: Murphy (Bettencourt)
Finance
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Observers contend that there is unnecessary taxpayer confusion regarding the deadlines for the performance of various functions in connection with property taxes. H.B. 2228 seeks to make the property tax process more efficient and streamlined for taxpayers by changing deadlines for taking certain actions in connection with that process.

H.B. 2228 amends current law relating to deadlines for performing various functions in connection with the ad valorem tax system.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.4391(a), Tax Code, to require the chief appraiser to accept and approve or deny certain applications for an exemption for freeport goods after the deadline for filing it has passed if it is filed not later than June 15, rather than if it is filed before the date the appraisal review board approves the appraisal records.

SECTION 2. Amends Section 21.09(b), Tax Code, as follows:

(b) Requires a person claiming an allocation to file a completed allocation application form before April 1, rather than before May 1, and to provide the information required by the form. Provides that, if the property was not on the appraisal roll in the preceding year, the deadline for filing the allocation application form is extended to the 30th day, rather than the 45th day, after the date of receipt of a certain notice. Requires the chief appraiser, for good cause shown, to extend the deadline for filing an allocation application form by written order for a period not to exceed 30 days, rather than 60 days.

SECTION 3. Amends Section 22.23, Tax Code, by adding Subsections (c) and (d), as follows:

(c) Requires that rendition statements and property reports for property located in an appraisal district in which one or more taxing units exempt property under Section 11.251 (Tangible Personal Property Exempt), notwithstanding Subsections (a) (relating to a certain required period for delivery of rendition statements and property reports to the chief appraiser) and (b) (relating to requiring the chief appraiser to extend the deadline for filing rendition statements and property reports under certain conditions), be delivered to the chief appraiser not later than April 1. Requires the chief appraiser, on written request by the property owner, to extend the deadline provided by this subsection for filing a rendition statement or property report to May 1. Authorizes the chief appraiser to further extend the deadline an additional 15 days for good cause shown in writing by the property owner.

(d) Requires that rendition statements and property reports for property regulated by the Public Utility Commission of Texas, the Railroad Commission of Texas, the federal Surface Transportation Board, or the Federal Energy Regulatory Commission,

notwithstanding any other provision of this section (Filing Date), be delivered to the chief appraiser not later than April 30, except as provided by Section 22.02 (Rendition of Property Losing Exemption During Tax Year for Which Exemption Application is Denied). Authorizes the chief appraiser to extend the filing deadline 15 days for good cause shown in writing by the property owner.

SECTION 4. Amends Section 41.11(a), Tax Code, to require that an owner who receives a notice as provided by this section (Notice to Property Owner of Change in Records) be entitled to protest such action as provided by Section 41.44(a)(2), rather than as provided by Section 41.44(a)(3).

SECTION 5. Amends Sections 41.44(a) and (c), Tax Code, as follows:

(a) Requires the property owner initiating the protest, except as provided by certain provisions, excluding Subsection (b-1) (relating to providing that certain property owners filing a notice of protest are entitled to a hearing and determination of the protest), to be entitled to a hearing and determination of the protest, to file a written notice of the protest with the appraisal review board having authority to hear the matter protested:

(1) not later than May 15 or a certain other date, whichever is later, rather than before May 1 or not later than a certain other date if the property is a single-family residence that qualifies for a certain exemption, whichever is later;

(2) deletes existing Subdivision (2) requiring the written notice of the protest to be filed before June 1 or not later than a certain other date, whichever is later. Redesignates existing Subdivision (3) as Subdivision (2);

(3) and (4) redesignates existing Subdivisions (4) and (5) as Subdivisions (3) and (4) and makes no further changes to these subdivisions.

(c) Provides that an owner of land who files a notice of protest under Subsection (a)(3) (relating to required dates for the filing of notices of protest related to land appraised under certain provisions), rather than under Subsection (a)(4), is entitled to a hearing and determination of the protest without regard to whether the appraisal records are approved.

SECTION 6. Repealer: Section 41.44(b-1), Tax Code.

SECTION 7. Provides that this Act applies only to ad valorem taxes imposed for a tax year beginning on or after the effective date of this Act.

SECTION 8. Effective date: January 1, 2018.